

### **REMARKS**

Reconsideration of the application, as amended, is respectfully requested.

#### **I. STATUS OF CLAIMS**

Claims 1-29 are currently pending. Claims 21-29 have been withdrawn from consideration due to a restriction requirement. Claims 1 and 11 have been amended herewith to more particularly point out and distinctly claim that which applicants regard as their claimed invention. In particular, claim 1 has been amended to further clarify that the method of forming an alignment film includes forming a first ion beam, transforming the first ion beam into a second ion beam and transforming the second ion beam into an atomic beam. Moreover, withdrawn claims 21-29 have been canceled herewith without prejudice.

Support for the above amendments can be found throughout the specification as originally filed. No new matter has been added by virtue of this amendment.

#### **II. 35 U.S.C. 102(e) Rejections**

**(i) Claims 1-20 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0092617A to Choo et al. ("the Choo publication").**

In response, it is submitted that Choo does not qualify as prior art with respect to any of the pending claims, including those claims rejected above. Namely, the effective filing date of Choo for 35 U.S.C. 102(e) purposes is after the foreign priority date claimed under 35 U.S.C. 119 by the present application to Korean Patent Application No. 2002-74478. Specifically, the effective 102(e) filing date of Choo is October 14, 2003, whereas the priority date claimed by the present application is November 27, 2002. (Korean Patent Application No. 2002-74478). Further, Applicants note that the Examiner is not entitled to rely on Choo's Korean priority date (Korean Patent Application No. 2002-69467, filed November 9, 2002) because Choo did not result or claim the benefit of an international application that designated the United States and was not published in English under PCT Article 21(2). See M.P.E.P. § 706.02(f)(1). Thus, Choo

is clearly not prior art with respect to any of the pending claims of the present application, including those claims rejected above.

In this regard, pursuant to MPEP 201.15, enclosed herewith for the purposes of overcoming the effective date of Choo is an English translation of the certified copy of the above Korean priority application, together with a statement that the translation of the certified copy of this priority application is accurate.

Therefore, for the reasons set forth above, Choo does not constitute prior art and thus cannot be relied upon to support the current claim rejections under 35 U.S.C. 102(e). Accordingly, the claim rejections under 35 U.S.C. 102(e) are legally deficient on their face and, consequently must be withdrawn.

**(ii) Claims 1-3 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,665,033 B2 to Callegari et al. ("the Callegari patent").**

In response, it is submitted that Callegari fails to teach or suggest all of the features recited in claim 1, as amended.

As mentioned above, claim 1 has been amended herewith to further clarify that the method of forming an alignment film includes forming a first ion beam, transforming the first ion beam into a second ion beam and transforming the second ion beam into an atomic beam.

Callegari at the very least fails to teach or suggest a method of forming an alignment film which includes forming a first ion beam, transforming the first ion beam into a second ion beam, transforming the second ion beam into an atomic beam and irradiating the atomic beam onto a thin film including a carbon-carbon double bond to form a polarized functional group by transforming the carbon-carbon double bond into a carbon-carbon single bond and a radical state, as essentially recited in claim 1, as amended.

Therefore, for at least the reasons set forth above, Callegari fails to teach or suggest all of the features recited in amended claim 1. Thus, withdrawal of the above rejections to claim 1 is

requested. Moreover, as claims 2 and 3 depend from claim 1, withdrawal of the rejections to these dependent claims is likewise requested.

**III. CONCLUSION:**

In summary, applicants respectfully submit that the instant application is in condition for allowance. Early notice to that end is earnestly solicited.

If a telephone conference would be of assistance in furthering prosecution of the subject application, applicant requests that the undersigned be contacted at the number below.

Respectfully submitted,



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